

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-60416  
Summary Calendar  
Civil Docket #1:98-CV-191-B-D

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SHERMAN HALL,

Plaintiff-Appellant,

versus

RICK HAYES; TOMMY WALLACE; CURTIS AUSTIN; THE CITY OF COLUMBUS,  
MISSISSIPPI, POLICE DEPARTMENT,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi

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May 9, 2001

Before DAVIS, JONES, and DeMOSS, Circuit Judges.

EDITH H. JONES, Circuit Judge:\*

Appellant Hall challenges the dismissal without prejudice of his § 1983 claim against Columbus, Mississippi police officer Rick Hayes. On appeal, Hall has briefed and argued only the merits of his claim that Hayes repeatedly arrested and maliciously

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\* Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

prosecuted him in order to coerce him to become an informant. Since the merits were never decided, we cannot rule on his claim.

Hall has not briefed the correctness of the district court's dismissal, which occurred because Hall did not show up for trial, having failed to deposit money to cover costs of his transportation from prison to attend trial. Nor has Hall briefed whether the court abused its discretion in denying his motion for relief from judgment. These issues are waived. Hainze v. Richards, 207 F.3d 795, 798 (5th Cir. 2000).

The judgment of the district court is **AFFIRMED**.